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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,209	01/02/2002	Marvin J. Rich	POU920010165US1	8625

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EXAMINER

THOMPSON, ANNETTE M

ART UNIT PAPER NUMBER

2825

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/038,209

Applicant(s)

RICH ET AL.

Examiner

A. M. Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,26 and 27 is/are rejected.
- 7) ☒ Claim(s) 3-25, 28-42 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other:

### **DETAILED ACTION**

This application, 10/038,209, has been examined. Claims 1-43 are pending.

#### ***Specification***

1. The disclosure is objected to because of the following informalities: At page 1, lines 13-19, insert patent application numbers and status, e.g. now U.S. Patent xxx.

Appropriate correction is required.

#### ***Claim Objections***

2. Claims 1-25 are objected to because of the following informalities: Pursuant to the objected to claims, the preamble should state the intended use or purpose of the invention. Claims dependent from claim 1 are likewise objected to. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Rejection of claims 1, 2, 26 and 27**

5. Claims 1, 2, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Krolikoski paper entitled Standardizing ASIC Libraries in VHDL Using VITAL: a Tutorial (the Krolikoski paper) in view of the Balaji et al. paper entitled Modeling ASIC Memories in VHDL (the Balaji paper). The Krolikoski paper discloses the basics of using generic timing parameters in VITAL timing packages and the storage of static timing data but does not specifically state how or whether the generics hold the delay values. The Balaji paper further discloses the specifics of the timing implementation of VITAL procedures including that generic hold delay value pairs (the Balaji paper, § 6). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to incorporate or supplement the Krolikoski paper with the Balaji to obtain the specific or further details regarding the implementation and specifics of VITAL timing procedures disclosed by Applicants' claim limitations.

6. Pursuant to claim 1, which recites a method comprising copying a rise time delay value from a tuple of a VHDL generic variable (the Krolikoski paper, page 604, column 1, ¶¶ 1,2); storing a rise time generic variable and a fall time generic variable (the Krolikoski paper, page 604, column 1, ¶ 2), the rise time generic variable comprising at least one rise time delay value and the fall time generic variable comprising at least one fall time delay value (the Balaji paper, § 6).

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7. Pursuant to claim 2, wherein the rise time generic variable comprises the rise time delay value copied from the tuple, and wherein the fall time generic variable comprises the fall time delay value copied from the tuple (the Balaji paper, § 6).

8. Pursuant to claim 26, which recites a computer readable medium (the Krolikoski paper, page 604, column 2 to page 605, column 1) discloses the use of a simulator and SDF file and additionally discloses the use of computer code which suggests the use of computer readable media) comprising instructions for copying a rise time delay value and a fall time delay value from a tuple of a VHDL generic variable; and storing a rise time generic variable and a fall time generic variable, the rise time generic variable comprising at least one rise time delay value and the fall time generic variable comprising at least one fall time delay value (see also the Balaji paper, §§ 5, 6).

9. Pursuant to claim 27, wherein the rise time generic variable comprises the rise time delay value copied from the tuple, and wherein the fall time generic variable comprises the fall time delay value copied from the tuple (the Balaji paper, § 6).

***Allowable Subject Matter***

10. Claims 3-26 and 28-42 contain allowable subject matter.

11. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not disclose or suggest the existence of a predetermined correlation policy. Furthermore, the prior art does not teach or suggest the use of a system or apparatus with an SDF analyzer.

**Conclusion**

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the PTO-892 for a detailed listing.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to A.M. Thompson whose telephone number is (703) 305-7441. The Examiner can usually be reached Monday thru Friday from 8:00 a.m. to 5:00 p.m.. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Matthew S. Smith, can be reached on (703) 308-1323.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956 or the Customer Service Center whose telephone number is (703) 306-3329.

13. Responses to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306, (for all **OFFICIAL** communications intended for entry)

Hand-delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).



A. M. THOMPSON  
Master's Level Patent Examiner